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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Bryan Dryden,

Petitioner

v.

Brian E. Williams, et al.,

Defendants

Case No. 2:17-cv-00704-JAD-NJK

**Order Denying as Moot Motion for
Clarification and Further Direction
Regarding Court Order, Granting Motion
for Leave to File Exhibits Under Seal, and
Granting Motion for Enlargement of Time
*Nunc Pro Tunc***

[ECF Nos. 38, 42, 45]

Petitioner Bryan Dryden brings this first amended petition for federal habeas corpus relief under 28 U.S.C. § 2254 to challenge his state-court conviction for second-degree murder.¹ Since the court granted in part respondents' motion to dismiss,² the parties have filed three motions: (1) respondents' motion for clarification and further direction regarding court order,³ which petitioner's response has mooted; (2) petitioner's motion for leave to file exhibits under seal,⁴ which I grant because compelling reasons exist to keep petitioner's confidential jail medical records and incident reports from public view; and (3) respondents' motion for enlargement of time *nunc pro tunc*,⁵ which I grant due to the disruption caused by the COVID-19 pandemic.

¹ ECF No. 15.

² ECF No. 36.

³ ECF No. 38.

⁴ ECF No. 42.

⁵ ECF No. 45.

1 **I. Respondents' motion for clarification and further direction regarding court order is**
2 **moot.**

3 In my order granting in part respondents' motion to dismiss, I directed respondents to file
4 the certified copies of incident notes and the Clark County Detention Center certified medical
5 records, identified respectively as Exhibits A and B of the state-court evidentiary hearing.⁶
6 Respondents state that they cannot find those documents.⁷ Dryden responds that he has the
7 documents,⁸ and he has filed them.⁹ Dryden's response has mooted respondents' motion, so I
8 deny it as moot.

9 **II. Compelling reasons exist to seal the incident notes and medical records.**

10 The incident notes and Dryden's medical records contain confidential, sensitive, and
11 private information.¹⁰ Compelling reasons thus exist to file these documents under seal.¹¹ So I
12 grant petitioner's motion for leave to file exhibits under seal.¹²

13 **III. Respondents will receive extra time to file their answer.**

14 In their motion for enlargement of time *nunc pro tunc*,¹³ respondents cite both an error in
15 their calendar and the disruption caused by the COVID-19 pandemic as the reasons they need
16 more time. I find that they have demonstrated good cause for an extension of time and grant
17 their request.

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19 ⁶ ECF No. 36 at 11.

20 ⁷ ECF No. 38 at 3.

21 ⁸ ECF No. 41.

22 ⁹ ECF No. 43.

23 ¹⁰ ECF No. 43 through 43-9.

¹¹ See *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006).

¹² ECF No. 42.

¹³ ECF No. 45.

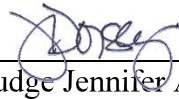
1 **IV. Conclusion**

2 IT THEREFORE IS ORDERED that respondents' motion for clarification and further
3 direction regarding court order [ECF No. 38] is **DENIED as moot.**

4 IT FURTHER IS ORDERED that petitioner's motion for leave to file exhibits under seal
5 [ECF No. 42] is **GRANTED. The Clerk of Court is directed to MAINTAIN ECF No. 43**
6 **under seal.**

7 IT FURTHER IS ORDERED that respondents' motion for enlargement of time *nunc pro*
8 *tunc* [ECF No. 45] is **GRANTED.** Respondents' deadline to file an answer is extended to May
9 18, 2020.

10 Dated: April 6, 2020

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12 U.S. District Judge Jennifer A. Dorsey
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